

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

EUGENE EVANS,

Plaintiff,

VS.

**BLUE CROSS AND BLUE SHIELD
OF ALABAMA, et al.,**

Defendants.

Case No.: 2:06-CV-599 MEF VPM

REPORT OF PARTIES' PLANNING MEETING

1. Appearances.

Pursuant to Fed. R. Civ. P. 26(f), a telephone conference was held on January 31, 2007, between the parties, who were represented by:

- a. Dr. Eugene Evans, *pro se*.
- b. Doy Leale McCall, III, Esq., on behalf of Blue Cross/ Blue Shield of Alabama.

2. Pre-Discovery Disclosures.

The parties will exchange by February 2, 2007, the information required by Local Rule 26.1(a)(1).

3. Discovery Plan.

The parties jointly propose to the court the following discovery plan:

- a. Discovery will be sought on the following subjects: All matters addressed in the parties' pleadings, including the defenses raised by defendants and plaintiff's allegations, liability and damages.
- b. All discovery must be commenced in time to be completed by one month before the date of the Pre-Trial Conference.

c. Unless modified by stipulation of the parties:

Written Interrogatories:

Maximum of 30 by each party, including sub-parts, with responses due within 30 days after service, or thirty-three days if served by mail.

Written Requests for Admission:

Maximum of 25 by each party, including sub-parts, with responses due within 30 days after service, or thirty-three days if served by mail.

Written Depositions:

Maximum of 10 depositions by plaintiff and 10 depositions for the defendants with a maximum time limit of 7 hours per each deposition, with the express exception of the parties themselves and any experts, unless extended by agreement of the parties.

Supplementation:

Supplementals under Rule 26(e), Fed. R. Civ. P., are due 30 days before the close of discovery, or as soon as reasonably possibly after the information and documents are discovered.

4. Expert Testimony:

Unless modified by stipulations of the parties, the disclosure of expert witnesses - including a complete report under Fed. R. Civ. P. 26(a)(2)(B) from any specially retained or employed expert - are due :

a. From the plaintiff: May 21, 2007.

b. From the defendant: June 4, 2007.

5. Scheduling Conference.

A scheduling conference is currently set for February 6, 2007.

6. Parties.

Plaintiffs should be allowed until March 2, 2007, to join any additional parties and the defendants should be allowed until March 16, 2007, to join additional parties.

7. Pleadings.

Plaintiffs should be allowed until March 2, 2007, to amend the pleadings and the defendants should be allowed until March 16, 2007, to amend the pleadings.

8. Dispositive Motions.

All potentially dispositive motions must be filed by 90 days before the Pre-Trial Conference.

9. Pre-trial Conference.

The parties request a final pretrial conference after the Court's ruling on all dispositive motions, or on or about September 10, 2006.

10. Alternative Dispute Resolution.

The parties are not able at this time to evaluate settlement prior to the parties conducting discovery.

11. Final Lists.

Final lists of witnesses under Rule 26(a)(3) must be filed 3 weeks prior to the Pre-Trial Conference; objections to those witnesses filed within 14 days prior. Exhibit lists filed two weeks prior to trial; objections to the exhibits filed 1 week before trial.

12. Trial.

The case should be ready for trial by October 8, 2007, and is expected to take approximately 2 days for trial.

Respectfully submitted this the 31st day of January, 2007.

/S/ Dr. Eugene Evans

Dr. Eugene Evans, *pro se*, electronically signed
by Doy Leale McCall, III with his express consent

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/S/ Doy Leale McCall, III

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